

ARTICLE APPEARED
ON PAGE B-5

NEW YORK TIMES
6 February 1986

C.I.A. Said to Have Let Nazi Into U.S.

By RALPH BLUMENTHAL

A Yonkers man has been named as a Nazi collaborator and war criminal who, according to a Congressional study last year, was knowingly slipped into the United States by the Central Intelligence Agency after World War II.

The disclosure revived charges that the C.I.A. had misled Congress when it denied such cases during hearings several years ago. A C.I.A. spokesman said there would be no comment.

Government officials yesterday identified the man as Mykola Lebed, 73 years old, a Ukrainian émigré who was called "Subject D" in a report by the United States General Accounting Office last June on the Government's use of Nazi and Axis collaborators for post-war anti-Communist intelligence work.

Sentenced to Death

The report said he had been accused of terrorist acts and had been convicted and sentenced to death for plotting to assassinate a high East European official. It said that the C.I.A. had brought him into the country under an assumed name and that after his true identity had been uncovered, the C.I.A. arranged for his permanent residency under a law allowing it to bring 100 people into the country without regard to their eligibility under regular statutes.

The disclosure, which appeared first in *The Village Voice*, was subsequently confirmed by officials, including District Attorney Elizabeth Holtzman of Brooklyn, who is a former Representative who headed Congressional inquiries into the use of Nazi war criminals by American intelligence agencies.

A man who answered Mr. Lebed's telephone yesterday identified himself as Mr. Lebed's landlord for the last 15 years and said his tenant had left this week for vacation with his wife, who is ill. The landlord, Ivan Hirnyj, said Mr. Lebed had not served the Nazis, but rather had fled from them. Mr. Hirnyj said that Mr. Lebed was working for the American Government but that he did not know in what capacity.

U.S. Inquiry Hinted

Neal M. Sher, director of the Justice Department's Office of Special Investigations, said he could neither confirm nor deny any ongoing inquiry. But he added, "Our policy is to look into any allegation that comes to our attention regarding Nazi criminals in the United States."

Officials said yesterday that it was not clear whether Mr. Lebed's sponsorship by the C.I.A. would preclude any legal action to deport him. Miss Holtzman said that a 1978 amendment to immigration law that she had sponsored in Congress would bar Mr. Lebed and anyone else who had participated in Nazi persecutions.

The General Accounting Office report, which omitted the names of Mr. Lebed and others, said he was one of five former Nazis or collaborators "with undesirable or questionable backgrounds" whom the office found had been assisted into the country by intelligence agencies for anti-Communist operations. The report sketched the career of Subject D in general terms.

But more elaborate accounts from Army intelligence files and war histories, some quoted in *The Village Voice*, called him a leader of the Ukrainian terrorist army OUN-B. The accounts linked him to the 1934 assassination of a former Polish Interior Minister, Bronislaw Pieracki, and to killings of Jews and Polish intellectuals in Nazi-occupied territory.

"He's an out and out terrorist," said John Loftus, a Rockland, Mass., lawyer and former Justice Department investigator who said he had originally provided Mr. Lebed's name to the accounting office.

The office's report said that the unnamed former collaborator had provided valuable intelligence data to the Americans after the war and that the C.I.A. then brought him into the country around 1948 under an assumed name.

But two years later, the report said, the Immigration and Naturalization Service learned Subject D's true identity and involvement in the assassination and opened an investigation. Thereupon, the report said, the C.I.A. acknowledged details of his background and secured his residency in this country in 1952 under a 1949 law that allowed the C.I.A., with the high level approval of the Attorney General and the Immigration Service, to bring in up to 100 people a year. Mr. Lebed became a citizen in 1957.

"They lied to me," Miss Holtzman said yesterday of the C.I.A. She cited a transcript of a 1979 Congressional hearing at which John D. Morrison, acting general counsel of the C.I.A., testified: "There have been accusations of our consorting with and assisting people such as the chairwoman has maintained — torturers and what not — and this has been gone into and it was found that we have not facilitated the entrance of any person of that sort into the U.S."

HCD reviewed: no objection to release as redacted